

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

RICKY FRE E BOROUGH
SUSAN FRE E BOROUGH
Debtor(s)

: Bankruptcy Case No. 21-10287-TPA
: Chapter 13

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated May 5, 2021, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A*, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

1. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: ***J.P Morgan Chase NA CL.#6***
2. The secured portion of the claim of ***One Main Financial Group***, (Claim No. ***4***) shall be treated as a surrender of collateral and shall not be paid by the Trustee or the Debtor.
3. ***JPMorgan Chase Bank CL.#6*** will be paid in full.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.
2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.
3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.
4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor(s) shall file an Amended Schedule I in the event of:

(a) Household income increases, because of new employment, promotion, or otherwise, since any increase in disposable income shall qualify for modification under §1329 retroactive to the date of the increase.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or any increase of 10% in household income. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation or increase in household income.

(c) Household income increases by 1% or more over most the recently filed Schedule I. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the increase in household income.

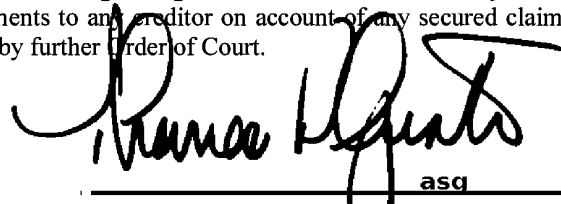
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: 7/6/2021



asg
United States Bankruptcy Judge

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Ricky Freeborough
Susan Freeborough
Debtors

Case No. 21-10287-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Jul 09, 2021

User: agro
Form ID: pdf900

Page 1 of 2
Total Noticed: 28

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 11, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Ricky Freeborough, Susan Freeborough, 68 Mountain, Tidioute, PA 16351-5612
15377786	Bruce Freeborough, Scott Run Road, Warren, PA 16365
15377795	+ Community Bank Na, Attn: Bankruptcy Dept, Po Box 509, Canton, NY 13617-0509
15379896	+ Community Bank, N.A., PO Box 509, Canton, NY 13617-0509
15377797	+ ECMC, Attn: Bankruptcy, 111 Washington Ave South, Ste 1400, Minneapolis, MN 55401-6800
15377801	+ MOHELA, Attn: Bankruptcy, 633 Spirit Drive, Chesterfield, MO 63005-1243
15377800	+ Mariner Finance, LLC, Attn: Bankruptcy, 8211 Town Center Drive, Nottingham, MD 21236-5904
15377803	+ RoundPoint Mortgage Servicing Corporatio, Attn: Bankruptcy, Po Box 19409, Charlotte, NC 28219-9409
15378499	+ US Department of Education/MOHELA, 633 Spirit Drive, Chesterfield, MO 63005-1243
15377806	+ Wffnatbank, Attn: Bankruptcy Dept, Po Box 51193, Los Angeles, CA 90051-5493

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jul 09 2021 23:13:30	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15377787	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 09 2021 23:13:30	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15377788	+ Email/Text: bk.notifications@jpmchase.com	Jul 09 2021 23:02:00	Chase Auto Finance, P.O. Box 901003, Fort Worth, TX 76101-2003
15377790	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 09 2021 23:13:31	Citibank, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15377791	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 09 2021 23:13:38	Citibank/Best Buy, Po Box 6497, Sioux Falls, SD 57117-6497
15377792	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 09 2021 23:02:00	Comenity Bank/Bon Ton, Attn: Bankruptcy, Po Box 182125columbus, Columbus, OH 43218
15377793	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 09 2021 23:02:00	Comenity Bank/Peebles, Po Box 182789, Columbus, OH 43218-2789
15377794	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 09 2021 23:02:00	Comenity Capital/Davids Bridal, Attn: Bankruptcy, Po Box 18125, Columbus, OH 43218
15377796	Email/Text: Bankruptcy.Consumer@dish.com	Jul 09 2021 23:02:00	Dish Network, Dept 0063, Palatine, IL 60055-0063
15377798	+ Email/Text: bknotice@ercbpo.com	Jul 09 2021 23:02:00	Enhanced Recovery Company, Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville, FL 32256-7412
15377789	Email/PDF: ais.chase.ebn@americaninfosource.com	Jul 09 2021 23:13:30	Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15388353	Email/Text: bk.notifications@jpmchase.com	Jul 09 2021 23:02:00	JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-5757, Phoenix AZ 85038-9505

District/off: 0315-1

User: agro

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Date Rcvd: Jul 09, 2021

Form ID: pdf900

Total Noticed: 28

15387223	+ Email/Text: bankruptcydpt@mcmcg.com	Jul 09 2021 23:02:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15377802	+ Email/PDF: cbp@onemainfinancial.com	Jul 09 2021 23:13:30	OneMain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
15391635	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 09 2021 23:13:34	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15378300	+ Email/PDF: gecsed@recoverycorp.com	Jul 09 2021 23:13:33	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15377804	+ Email/PDF: gecsed@recoverycorp.com	Jul 09 2021 23:13:33	Synchrony Bank/JCPenney, Attn: Bankruptcy, Po Box 965064, Orlando, FL 32896-5064
15377805	+ Email/PDF: gecsed@recoverycorp.com	Jul 09 2021 23:13:37	Synchrony Bank/Sams, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 18

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FREEDOM MORTGAGE CORPORATION
15377799		Keith Salapek
15388354	*	JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-5757, Phoenix AZ 85038-9505

TOTAL: 2 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 11, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 9, 2021 at the address(es) listed below:

Name	Email Address
Maria Miksich	on behalf of Creditor FREEDOM MORTGAGE CORPORATION mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedwpa.com
Tina M. Fryling	on behalf of Debtor Ricky Freeborough tinafryling@gmail.com tfryling@mercyhurst.edu;r53088@notify.bestcase.com
Tina M. Fryling	on behalf of Joint Debtor Susan Freeborough tinafryling@gmail.com tfryling@mercyhurst.edu;r53088@notify.bestcase.com

TOTAL: 5